

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THE PHOENIX INSURANCE COMPANY,

Plaintiff,

vs.

RJB WHOLESALE INC., a Washington  
Corporation; JEFFREY CASTLEBERRY and  
"JANE DOE" CASTLEBERRY, husband and  
wife and the marital community composed  
thereof,

Defendant.

No. 2:19-cv-01161-JLR

**STIPULATION AND  
~~PROPOSED~~ ORDER**

**I. STIPULATION**

Plaintiff The Phoenix Insurance Company ("Phoenix"), and Defendants Jeffrey Castleberry and "Jane Doe" Castleberry ("Castleberries"), by and through their respective attorneys, hereby agree and stipulate as follows:

1. Defendants Jeffrey and Jane Doe Castleberry agree to be bound by any coverage decision or ruling made by the Court as part of this action.

2. In consideration of this agreement, Phoenix agrees to dismiss the claims asserted against the Castleberries without prejudice and without fees or costs to either Party.

DATED this 26<sup>th</sup> day of August, 2019.

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Jane Doe Castleberry*

*Counsel for The Phoenix  
Insurance Company*

## II. ORDER

Based on the foregoing Stipulation, it is now, hereby:

ORDERED that Defendants Jeffrey Castleberry and Jane Doe Castleberry are hereby dismissed from this action without prejudice and without recovery.

DATED: 26 August 2019

  
Honorable James L. Robart